

**GOTTLIEB & ASSOCIATES**  
ATTORNEYS

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July 18, 2023

**VIA ECF**

The Honorable Katherine Polk Failla  
United States District Judge  
United States District Court  
Southern District of New York  
Thurgood Marshall  
United States Courthouse  
40 Foley Square  
New York, NY 10007

**MEMO ENDORSED**

Re: *Matzura v. B.A.C. Musical Instruments, LLC*,  
Case No.: 1:23-cv-3430

Dear Judge Failla,

The undersigned represents Steven Matzura, on behalf of himself and all other persons similarly situated (“Plaintiff”) in the above referenced matter against Defendant, B.A.C. Musical Instruments, LLC, (“Defendant”). The undersigned respectfully requests that the Initial Conference scheduled for July 28, 2023, at 4:20 PM (Dkt. 6) be adjourned for 60 days because Counsel for Defendant has not yet answered or appeared in this action. Additionally, the undersigned respectfully informs Your Honor that we will be filing an Amended Complaint and therefore this adjournment will give the undersigned ample time to serve the Amended Complaint and grant the Defendant ample opportunity to appear and defend themselves in this Action as well as discuss a possible resolution with Plaintiff’s Counsel. This is the Plaintiff’s first request for an extension.

Respectfully submitted,

GOTTLIEB & ASSOCIATES

/s/Michael A. LaBollita, Esq.  
Michael A. LaBollita, Esq.

Application GRANTED. The initial pretrial conference which is currently scheduled for July 28, 2023, is hereby ADJOURNED to 3:00 p.m. on **September 26, 2023**.

The Clerk of Court is directed to terminate the motion at docket entry 7.

Dated: July 18, 2023  
New York, New York

SO ORDERED.

A handwritten signature in blue ink, reading "Katherine Polk Failla".

HON. KATHERINE POLK FAILLA  
UNITED STATES DISTRICT JUDGE